

Countries of Particular Concern: Pakistan

Successive governments have severely violated religious freedom in Pakistan. Discriminatory legislation has helped to create an atmosphere of religious intolerance and eroded the social and legal status of religious minorities. Government officials provide fewer protections from societal violence to non-Muslims than to members of the majority Sunni Muslim community. Perpetrators of attacks on minorities are seldom brought to justice. Belated efforts to curb extremism by reforming Pakistan's thousands of Islamic religious schools appear to have had little effect thus far. Many of these schools continue to provide ideological training and motivation to those who take part in violence targeting religious minorities in Pakistan and abroad.

Sectarian and religiously-motivated violence, much of it committed against Shi'a Muslims by Sunni militants, is chronic in Pakistan. Religious minorities such as Ahmadis and Christians have also been targeted by Sunni extremist groups. Attacks on Shi'a worship services in February and July 2003 produced multiple fatalities, the July attack alone leaving over 50 dead. In October 2003, gunmen on a motorcycle opened fire on a bus carrying Shi'a Muslims, killing at least five. In the last two years, there has been an upsurge in anti-Christian violence, including fatal attacks on churches and other Christian institutions. In September 2002, armed men killed seven people on the premises of a Christian charitable organization; in December, three children were killed and 14 injured in a grenade attack on a Christian church in Chianwala village in Sialkot; and in January 2004, a church compound that includes a Christian school for girls was bombed. Police protection appears ineffectual, and no one has yet been successfully prosecuted for these crimes. Perpetrators of attacks on minorities are seldom brought to justice. The case of the brutal murder of American journalist Daniel Pearl, whose Jewish background was highlighted in a video of his decapitation by his Islamic extremist killers, is not yet fully resolved.

Ahmadis are prevented by law from engaging in the full practice of their faith. The Constitution of Pakistan declares members of the Ahmadi religious community to be "non-Muslims," despite their insistence to the contrary. Barred by law from "posing" as Muslims, Ahmadis may not call their places of worship "mosques," worship in non-Ahmadi mosques or public prayer rooms (otherwise open to all Muslims), perform the Muslim call to prayer, use the traditional Islamic greeting in public, publicly quote from the Quran, or display the basic affirmation of the Muslim faith. These acts are punishable by imprisonment of up to three years. It is illegal for Ahmadis to preach in public, to seek converts, or to produce, publish, and disseminate their religious materials. These acts are also punishable by imprisonment of up to three years. Ahmadis have been arrested and imprisoned for all of the above acts, and they are reportedly subject to ill treatment from prison authorities and fellow prisoners. Ahmadis who refuse to disavow their claim to being Muslims are effectively disenfranchised. There is no indication that the current government intends, or has even seriously considered, changes to the anti-Ahmadi laws.

Prescribed penalties for blasphemy include death for whoever "defiles the sacred name of the Holy Prophet Muhammad" and life imprisonment for whoever "willfully defiles, damages, or desecrates a copy of the holy Quran." Blasphemy allegations, which are often false, result in lengthy detention of and sometimes violence against Christians, Ahmadis, and other religious minority members, as well as Muslims on account of their religious beliefs. The negative impact of the blasphemy laws is further compounded by the lack of due process involved in these proceedings. In addition, during blasphemy trials, Islamic militants often pack the courtroom and make public threats about the consequences of an acquittal. Such threats are credible, as they have sometimes been followed by actual violence. Although no one has yet been executed by the state under the blasphemy laws, some persons have been sentenced to death. Several accused under the blasphemy laws have been attacked, even killed, by vigilantes, including while in police custody; those who escape official punishment or vigilante attack are forced to flee the country. Others have died in police custody under allegedly suspicious circumstances. Following an abortive attempt in 2000 at introducing procedural reforms, the Musharraf government has made no further effort to reform, much less repeal, the blasphemy laws.

Pakistan's Hudood Ordinances provide for harsh punishments such as amputation and death by stoning for violations of Islamic law. Although these extreme corporal punishments have not been carried out in practice due to high evidentiary standards, lesser punishments such as jail terms or fines have been imposed. Rape victims run a high risk of being charged with adultery, for which death by stoning remains a possible sentence. The Hudood laws apply to Muslims and non-Muslims alike.

The Commission's May 2001 report on Pakistan recommended that the United States, in its bilateral relations with Pakistan, take the position that Pakistan's system of separate electorates for religious minorities was inconsistent with democratic principles and the protection of political rights without discrimination on the basis of religion. In January 2002, the Commission welcomed the decision of the government of Pakistan to abolish the system of separate electorates. The continuing requirement for voters to identify themselves as Muslims or non-Muslims serves, however, to disenfranchise many Ahmadis, who object, on religious grounds, to being designated as non-Muslims.

With regard to Pakistan, the Commission has recommended that the U.S. government should:

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take the position that the existence and enforcement of laws

targeting Ahmadis that effectively criminalize the public practice of their faith violate the right to freedom of religion guaranteed in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;

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urge the government of Pakistan to implement procedural changes to the blasphemy laws that will reduce and ultimately eliminate their abuse;

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urge the government of Pakistan to take effective steps to prevent sectarian violence and punish its perpetrators, including disarming militant groups and any religious schools that provide weapons training; and

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support, in conjunction with other donors: (a) improvements in the public education system; (b) judicial reform and law enforcement training; (c) legal advocacy to protect the right to freedom of religion; and (d) educational programs in religious tolerance.